

**IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA**

ANNIE J. GOOLSBY,)	
)	
Plaintiff,)	
)	
vs.)	Case No. 06-CV-616-GKF-PJC
)	
TULSA PUBLIC SCHOOLS,)	
)	
Defendant.)	

OPINION AND ORDER

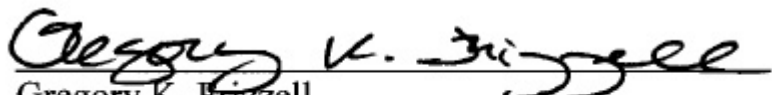
Now before the court is plaintiff Annie J. Goolsby's Motion for Appointment of Counsel [Dkt. #36]. Plaintiff states she lacks the financial resources to retain counsel on her own.

The right to counsel in a civil case is not a matter of constitutional right under the Sixth Amendment. *MacCuish v. United States*, 844 F.2d 733, 735 (10th Cir. 1988); *see also Caruth v. Pinkney*, 683 F.2d 1044, 1048 (7th Cir. 1982) (collecting cases so holding). However, the court may request an attorney to represent any person unable to afford counsel. 28 U.S.C. § 1915(e)(1). In deciding whether to appoint counsel, the court considers factors including the merits of the litigant's claims, the nature of the factual issues raised in the claims, the litigant's ability to present her claims, and the complexity of the legal issues raised by the claims. *Rucks v. Boergermann*, 57 F.3d 978, 979 (10th Cir. 1995).

After considering the factors as they relate to this case, the court concludes that the motion should be denied..

WHEREFORE, Plaintiff's Motion for Appointment Counsel [Dkt. #36] is denied.

IT IS SO ORDERED this 4th day of September 2007.


Gregory K. Frizzell
United States District Judge
Northern District of Oklahoma